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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/991,019	11/15/2001	Edward W. Nelson	CRED 2332	2964
7812 7590 10/07/2003				
SMITH-HILL AND BEDELL				
12670 N W BARNES ROAD				
SUITE 104				
PORTLAND, OR 97229				
EXAMINER				
NGUYEN, VINH P				
ART UNIT		PAPER NUMBER		
2829				

DATE MAILED: 10/07/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/991,019

Applicant(s)

NELSON ET AL.

Examiner

VINH P NGUYEN

Art Unit

2829

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07/23/03.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 10 is/are allowed.
- 6) ☒ Claim(s) 1,11-14 is/are rejected.
- 7) ☒ Claim(s) 2-9 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

1. Applicant's arguments filed on 07/23/03 have been fully considered but they are not persuasive.

Applicant argues that the switch of Ueno et al is connected at all times to the pin. Examiner agrees with Applicants about this issue. However, the switch element (S1) has a first position in which it is electrically isolated from the pin (B1) and a second position in which the switch element (S1) is in electrically conductive contact with the pin (B1). Therefore, the switch (S1) of Ueno et al performs the same function as the one in the instant application.

Applicants argues that the switches of Sokolich are solid states. However, Examiner still believes that those switches still perform the same functions as the analog switches of the instant applications since the displaceable between a first position and a second position would have the same meaning as "on " and "off" state in the electronic switch.

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1 and 11 (insofar as understood) are rejected under 35 U.S.C. 103(a) as being unpatentable over Ueno et al (Pat # 5,491,427).

As to claims 1,11, Ueno et al disclose in figure 16 an apparatus having a plurality of contact pins (B1-B10) with their first ends connected to a tester (24) through tester channels

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(straight signal path lines from switches S1-S10 to the tester (24)) and with their second ends connected to an LSI under test (22), a plurality of switches (S1-S10), wherein each switch is displaceable between a first position and second position for electrically connect/disconnect with one contact pins (B1-B10). It would have been obvious for one of ordinary skill in the art to consider that the LSI under test would be qualified as "a load board" since this broad term could cover a variety of devices or elements.

4. Claims 12-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Sokolich (Pat # 4,465,972).

As to claims 12-14, Sokolich discloses an apparatus for testing a printed circuit board as shown in figures 4-5 having a pogo block (10), a plurality of pogo pins (15) mounted in the pogo block (10), a chip carrier (19) with an integrated circuit (20) including plurality of switches (C1-C10, B1-B10) as shown in figure 5. It appears that each of the switches electrically connected to each of the pogo pins (15).


5. Claims 2-9 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. Claim 10 is allowable since the prior art does not disclose a detailed test head as recited in the instant claim.

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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to VINH P. NGUYEN whose telephone number is (703) 305-4914.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4900.


VINH P. NGUYEN
PRIMARY EXAMINER
ART UNIT 2829
10/05/03